



COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled RNA INTERFERENCE PATHWAY GENES AS TOOLS FOR TARGETED GENETIC INTERFERENCE, the specification of which:

is attached hereto.
 was filed on October 13, 2000, as Application Serial No. 09/689992.
 was described and claimed in PCT International Application No. _____ filed on _____ and as amended under PCT Article 19 on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

| U.S. Serial No. | Filing Date | Status |
|-----------------|------------------|---------|
| 60/159,776 | October 15, 1999 | Pending |
| 60/193,218 | March 30, 2000 | Pending |

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

J. Peter Fasse, Reg. No. 32,983
John W. Freeman, Reg. No. 29,066
John F. Hayden, Reg. No. 37,640
Timothy A. French, Reg. No. 30,175

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Address all telephone calls to J. PETER FASSE at telephone number (617) 542-5070.

Address all correspondence to J. PETER FASSE at:

FISH & RICHARDSON P.C.
225 Franklin Street
Boston, MA 02110-2804

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Combined Declaration and Power of Attorney

Page 2 of 2 Pages

Full Name of Inventor: CRAIG C. MELLO

Inventor's Signature: 
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Date: 1/25/01

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Full Name of Inventor: ANDREW FIRE

Inventor's Signature: _____ Date: _____
Residence Address:

Citizenship: United States of America
Post Office Address: 2320 Bright Leaf Way
Baltimore, MD 21209

Full Name of Inventor: HIROAKI TABARA

Inventor's Signature: 
Residence Address:

Date: 1/25/01

Citizenship: Japan
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Full Name of Inventor: ALLA GRISHOK

Inventor's Signature: 
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Date: 1/25/01

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Page 2 of 2 Pages

Full Name of Inventor: CRAIG C. MELLO

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Date: _____

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Date: _____

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Applicant or Patentee: Mello et al.

Serial or Patent No.: 09/689,992

Date or Issued: October 13, 2000

RNA INTERFERENCE PATHWAY GENES AS TOOLS FOR TARGETED GENETIC
INTERFERENCE

MAR 20 2001

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(d)) — NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Organization: UNIVERSITY OF MASSACHUSETTS
Address of Organization: One Beacon Street, 26th Floor, Boston, MA 02108

Type of Organization:

University or Other Institution of Higher Education

Tax Exempt Under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3))

Nonprofit Scientific or Educational Under Statute of State of the United States of America
(Name of State: _____) (Citation of Statute: _____)

Would qualify as tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3)) if located in the United States of America

Would qualify as nonprofit scientific or educational under Statute of State of the United States of America if located in the United States of America
(Name of State: _____) (Citation of Statute: _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled RNA INTERFERENCE PATHWAY GENES AS TOOLS FOR TARGETED GENETIC INTERFERENCE by inventor(s) CRAIG C. MELLO, HIROAKI TABARA, ALLA GRISHOK, ANDREW FIRE AND described in:

the specification filed herewith.

application serial no. 09/689,992, filed October 13, 2000.

patent no. ___, issued ___.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

Full Name: Carnegie Institute of Washington

Address: 1530 P Street NW, Washington, D.C. 20005

INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status when any new rule 53 application is filed or prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

| | |
|----------|--|
| Name: | Joseph F. X. McGuirl |
| Title: | Executive Director, Commercial Ventures and Intellectual Property |
| Address: | University of Massachusetts, One Beacon Street, 26 th Floor, Boston, MA 02108 |

Signature: Joseph F. X. McGuirl

Date: 1/24/01

Applicant or Patentee:

Mello et al.

Serial or Patent No.:

09/689,992

Filed or Issued:

October 13, 2000

For:

RNA INTERFERENCE PATHWAY GENES AS TOOLS FOR TARGETED GENETIC
INTERFERENCE

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 United States of America
 Would qualify as nonprofit scientific or educational under Statute of State of the United States of America if located in
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Full Name: University of MassachusettsAddress: One Beacon Street, 26th Floor, Boston, MA 02108

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| | |
|----------|--|
| Name: | John Lively |
| Title: | Director of Administration and Finance |
| Address: | Carnegie Institute of Washington, 1530 P Street NW, Washington, D.C. 20005 |

Signature:

Date: February 1, 2001